

H.C.C.
Code No. W/1677/65
L.A.
Ref. No. 5698

ADMINISTRATIVE COUNTY OF HERTFORD

The Council of the ~~Borough of~~
~~Urban District of~~
RURAL DISTRICT OF Hemel Hempstead.

TOWN & COUNTRY PLANNING ACT, 1962

To Mr. P. Baldwin,
Whippendell Farm,
Chipperfield,
Herts.

Use of land for residential development
at Whippendell Farm, Chipperfield, Herts.
(Parcels 197 & 197F on OS. HERTS. XXXVIII.3 & 7.)

Brief description and location of proposed development.

In pursuance of their delegated powers under the above-mentioned Act and the Orders and Regulations for the time being in force thereunder, the Council on behalf of the Local Planning Authority hereby refuse the development proposed by you in your application dated 28/7/65 and received with sufficient particulars on 30/7/65 and shewn on the plan(s) accompanying such application.

The reasons for the Council's decision to refuse permission for the development are:—

- 1. The site is within a proposed extension of the Metropolitan Green Belt where it is the policy of the Local Planning Authority not to allow development unless it is required for agricultural or allied purposes. No such need has been proved.
- 2. It is not possible to achieve adequate visibility splays for any access to the County Road within the curtilage of the site as the sight line requirements involve land not in the ownership of the applicant, and this would increase the traffic hazard to other road users.

Dated 2nd day of November 1965

Burkley
Clerk / ~~Secretary~~ of the Council

NOTE.

(1) If the applicant wishes to have an explanation of the reasons for this refusal it will be given on request and a meeting arranged if necessary.

(2) If the Applicant is aggrieved by the decision of the local planning authority to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, he may by notice served within one month of receipt of this notice, appeal to the Minister of Housing and Local Government in accordance with Section 23 of the Town and Country Planning Act, 1962. The Minister has power to allow a longer period for the giving of a Notice of Appeal and he will exercise his power in cases where he is satisfied that the applicant has deferred the giving of notice because negotiations with the local planning authority in regard to the proposed development are in progress. The Minister is not, however, required to entertain such an appeal if it appears to him that permission for the proposed development could not have been granted by the local planning authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the provision of Section 17(1), 18(1) and 38 of the Act and of the Development Order and to any directions given under the Order.

(3) If permission to develop land is refused, or granted subject to conditions, whether by the local planning authority or by the Minister of Housing and Local Government, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with Section 129 of the Town and Country Planning Act, 1962.

(4) In certain circumstances, a claim may be made against the local planning authority or the Minister of Housing and Local Government for compensation, where permission is refused, or granted subject to conditions by the Minister on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 123 and Part VI of the Town and Country Planning Act, 1962.

MINISTRY OF HOUSING & LOCAL GOVERNMENT

REF APP/2142/A/6404
PRF/WN 4026
W/1677-65

9th November, 1966.

Sir,

Town and Country Planning Act 1962: Section 23
Appeal by Mr. P. Baldwin
Land at Whippendell Farm, Chipperfield

I am directed by the Minister of Housing and Local Government to refer to the report of his Inspector, Mr. A.B. Salmon, M.I.C.E., M.I.Mun.E., M.I.W.E., M.T.P.I., on the local inquiry into your client's appeal against the decision of Hemel Hempstead Rural District Council, acting on behalf of Hertfordshire County Council, to refuse planning permission for residential development on land at Whippendell Farm, Chipperfield.

2. A copy of the Inspector's report is enclosed.
3. The Inspector in his conclusions expressed the opinion that there were no overriding reasons why green belt considerations should not prevail in this instance. In addition to the general green belt presumption against allowing the proposal, any further or replacement development on the site would tend towards undesirable closing of the already small gap between the two adjoining settlements provided by the farmland to the east of the site and by the open nature of the site itself. In addition, the Inspector considered that the introduction of further residential area traffic onto the class III road in this situation would result in a significant and undesirable increase in road hazards. He recommended that the appeal be dismissed.
4. The Minister agrees with the Inspector's conclusions and accepts his recommendation: accordingly he hereby dismisses your client's appeal.

I am, Sir,
Your obedient Servant,

(H. C. HOLLINGTON)
Authorised by the Minister
to sign in that behalf.

R.H. Faulkner Esq., F.R.I.C.S., F.A..I.,
43 Market Street,
WATFORD,
Herts.

noted Paul 11/67
Record notes
JW